

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
1:21-cv-00906-LCB-LPA

KA'LAH (KALAH) MARTIN,

Plaintiff,

v.

GREGORY SEABOLT, et al.,

Defendants.

**CONSENT MOTION FOR EXTENSION
OF TIME TO RESPOND TO
PLAINTIFF'S COMPLAINT**

NOW COME Defendants Gregory Seabolt, in his capacity as Sheriff of Randolph County, and Steven W. Myers, Edward Slafky, Travis Short, Kyle Gabby, Travis Cox, Jeremiah Harrelson, Eric Weaver, and Steve Shawver, in their individual and official capacities, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, and Local Rules 6.1, 7.3(j), and 77.2, and request an extension of time within which to file a response to Plaintiff's Complaint up to and including February 1, 2022. In support of this Motion, the Defendants show the Court the following:

1. Plaintiff filed her Complaint in this case on November 23, 2021. *See* (Doc. No. 1).
2. Defendants Seabolt and Myers were the first Defendants served on December 2, 2021, and their responses to Plaintiff's Complaint are therefore due on December 23, 2021, pursuant to Federal Rule of Civil Procedure 12(a)(1)(A).
3. However, as of the date of this Motion, service had not been effectuated upon certain Defendants, and the dates of service upon others varied. Therefore, in the

interests of efficiency, Defendants gave the undersigned authorization to accept service on their behalf. *See* (Doc. No. 6).

4. The Complaint totals thirty-nine (39) pages (without exhibits), which includes 203 paragraphs of allegations and eight (8) claims for relief against nine (9) identified Defendants, and defense counsel requires additional time to review documents and information related to this case in order to prepare an Answer or other responsive pleading to Plaintiff's Complaint.

5. Due to the parties' engagement in early settlement discussions, Plaintiff's counsel represented to Defendants' counsel that February 1, 2022, would be an agreeable date for all Defendants' responses to the Complaint. Therefore, Defendants request that the deadline to respond to the Complaint be extended to February 1, 2022.

6. This Motion is made for legitimate purposes, in good faith, and not for the purposes of delay.

7. Pursuant to Local Rule 6.1, Plaintiff has been consulted about this Motion and consents to an extension of time up to and including February 1, 2022.

8. Pursuant to Local Rules 5.3(f), 7.3(j), and 77.2, a proposed order is included with this Motion.

WHEREFORE, for the reasons set forth herein, Gregory Seabolt, in his capacity as Sheriff of Randolph County, and Steven W. Myers, Edward Slafky, Travis Short, Kyle Gabby, Travis Cox, Jeremiah Harrelson, Eric Weaver, and Steve Shawver, in their individual and official capacities, respectfully request an extension up to and including February 1, 2022, to file an Answer or other responsive pleading to Plaintiff's Complaint.

Respectfully submitted this 22nd day of December, 2021.

WOMBLE BOND DICKINSON (US) LLP

/s/Michael A. Ingersoll

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on December 22, 2021, I filed the foregoing **CONSENT MOTION** using the CM/ECF system, which will send notification of the filing to all counsel of record.

/s/Michael A. Ingersoll _____